## THE WIRZ TRIAL YESTERDAY.

More Witnesses for the Defense Demanded.

the difficulty is the way.

Gen. Unage Hew long will it require you to draw the affidavite?

Mr. Baker Two cr

the difficulty in the way.

Gen. Bracker—How long will it require you to draw the alifdavitz?

Mr. Baker—Two or three days, working steady. There are 20 or 30 witnesses. I could state generally what we expect to prove, and do this at the Judge-Advocate's office, with the aid of a reporter. This could be done without an adjournment of the Court.

The Court—Very well, the question is settled.

Judge-Advocate Chipman requested that a portion of the remarks of the counsel he read, reflecting upon himself and associate, Major Hosmez.

Mr. Baker said he would not have the Judge-Advocate rest under a wrong impression.

The official reporter then read the exceptionable words, given in the former part of this report.

Mr. Baker—There's no reflection there.

The Judge-Advocate,—The language is improper. It ceasures the Judge-Advocate, and leaves a clear inference that the counsel believes that they in preliminary examination used improper means to influence the witnesses. I pronounce the whole thing false. The preliminary examination was conducted by Major Hosmar and myself, and made with all fairness and courtesy, and in the presence of the officers of the Court and reportars and witnesses. I do not recollect of any such case, and I am sure nothing has occurred to justify the remark which I pronounce false. I ask the Court to order an investigation, so that the counsel may sustain his speach by proof, and that the officer or officers found derelact to the particular of a cing unprofessionally may be dealt with by this Court. This is due to the Judge-Advocate.

Major-tien. Themas—We should know the names of

conversation for some days, and is slow to resign its place to the next excitement. The contestants were John Deery, Superintendent of Geary's billiard rooms in Washington, and Louis Fox of this city, the holder of the one. Louis Fox, who won the one by default from his rival in the last match, is a decided favorite with the billard men here, and his playing excited the greatest enthusiasm. It is rather amusing to see that enthusiasm now set forth as a reason for his failure to hold bis own!

810	. Demanded.	The official reporter then read the exceptionable words, given in the former part of this report.  Mr. Bigker—There's no reflection there.  The Judge Advocate—The language is improper. It	in Washington, and Louis Fox of this city, the holder of the cue. Louis Fox, who won the cue by default from his rival in the last match, is a decided favorite with the biffiard men here, and his playing excited the greatest enthusiasm. It is rather amusing to see that	By
21	Passage at Arms Between Counsel.	censures the Judge Advecate, and leaves a clear infer- ence that the counsel believes that they in preliminary examination used improper means to influence the wit- nesses. I pronounce the whole thing false. The pre-	enthusiasm now set forth as a reason for his failure to hold his own! The game played was the usual one, on a table of	Cro Oak Suy Tyl
		liminary examination was conducted by major from a conducted by major	Phelan & Collender's, with 2] balls, 1,500 points up. Washington Hall, in which the table was placed for	Smi
4	Evidence of Major-Gen. Wilson.	and in the presence of the officers of the Court and re- porture and witnesses. I do not recollect of any such	the contest, is a room admirably adapted to such a per- pose, being nearly square, and affording accommoda-	111
	Panetic of major-den salisant	crise, and I am sure nothing has occurred to justify the remark which I pronounce false. I ask the Court to	tions, on this occasion, for 1,200 or 1,500 lookers on the seats being placed, as is customary, in the form of an	W
-	W 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	order an investigation, so that the counsel may sustain his speech by proof, and that the officer or officers found	amphitheater, affording a perfectly unobstructed view	
	Special Dispatch to The N. Y. Tribune.	develop in the particular of acting unprofessionally may	from all parts. The rival players were each sustained by their separate admirers, but, of course, a very large	
1	Washington, Monday, Sept. 11, 1865.	be dealt with by this Court. This is due to the Judge-Advocate.	portion of the audience were Rochester people, and, consequently. Foxites. The billiard fraternity gave	S
1	Gen. Wilson and Col. Willing of the 4th	Major-Gen. Themas—We should know the names of, the witnesses reserved to by the counsel.	there we said allest a probability of the comments of the	U
	Kentucky Cavalry, occupied the time of the Wirz Court not given to the verbal wrangle of the counsel	My. Baker-I thought I was careful in giving the	New-York, J. McDevitt, Indianapolis, John Secreiter,	*
	for the defense.	the witnesses reserved to by the counsel.  Mr. Baker-I thought I was careful in giving the impression of the witness's talk to me, I thought I was very careful ast to leave any impression that the Jud ge-Advocate could be guilty of any such thing; it may be the leave to the leave the Linear teacher an only, and	troit; H. Griffin, Utien; G. B. Hubbell, Hartford;	Me
	To the Associated Press. Washington, Monday, Sept. 11, 1865.		THE COURT OF THE PARTY OF THE COURT OF THE C	
	After the record of Saturday had been read,	the Judge-Advocate to believe he did any such thing; but when witnesses come here they feel they are under	No. Shots. Count. Total, No. Shot. Count. Total.	wa
	Mr. Baker brought to the attention of the Commission a matter in relation to witnesses for the defense, which	those restraints, which we cannot feel because we are not in their position; I must let them go for what they	2 10 12 2 151 10	Pin
	he thought it would be bester to attend to at this time. The Judge-Advocate had suggested to him that it	are worth: I do not think the Judge-Advocate is guilty of the thine, and I want no such construction put upon	1 3 9 14 2 3 19	-
	might be a subject outside of his own authority, and	my language. Wallace The language is equivalent to	1 5 15 290 5 3 781	Eli
	therefore properly belonging to the Court. Some time before this trial commenced the gentlemen who were	In above and only against the Andre-Advocate, but	1 7 4 500 7 9 971	Par
	then acting as the prisoner's coursel requested that a number of witnesses for the defense should be cent for.	against some person connected with the Government and if not made in the form of a charge by the counsel	2 211	by
	and on their application this was done. Some of them could not be found, and others, who were found, had	of the defendant, it comes at least in an accusatory statement from witnesses. If the things stated are true,	111	606.00
	not yet reported. The reason for this neglect the counsel for the defense did not know. Since the trial	it is certainly in the power of the counsel to give the names of the witnesses.	12 3 161 12 0 125 13 0: 161 13 3 128	1
	had been progressing matters were developed which showed then eccessity of other witnesses being sum-	Mr. Baker—I don't know them. Major-Gen. Wallace—It is unnecessary to have an in-	14 4 165 14 20 148	of 1
	moned in order to meet new points brought out in the	vestigation as to whether any improper attempt has been made by persons belonging to this Court to in-	16 4 174 16 40 180	me
	trial. These witnesses were scattered mostly in Georgia, and may be found in a few days; but in some places	I finence witnesses in their testimony. It is all impeach-		
	there were no mails or other means of reaching them by written communications; therefore it was not	ment indirectly of the Judge-Advocate of the Court and	90 9 943190 14 236	con
	probable they could be reached by the time they were wanted to testify in this court. Under these erroun-	trans the proposition proceeds. For my part, I think	101 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	No.
	stances it was for the Government to say whether the defendant should have the facilities which the Govern-	the motion of the Judge-Advocate eminently proper.  After conversation by members of the Court, Gen. Bragg said as Mr. Baker made the charge, he was	93 10; 967 23 3 246 24 61 328 24 0 246	
	ment could afford, or whether he must be de-	under obligation to substantiate it.	25 2 330 25 0 246	mar
	prived entirely of these witnesses. It was an abso- inte necessity that the defendant should have the	Mr. baker-You are a lawyer, and therefore know what the usual courtesy is. I thought I guarded my	27 3 356 27 7 340	not
	witnesses in this way or not at all. The counsel be- heved this defendant could show an ample defense.	language very carefully.  Gen. Wallace—If any officer has used any improper	99 0 388 99 15 367	Cor
	This was their sincere belief, and it was for them to ask that the prisoner have the means of making his defense.	means to influence witnesses, you may be sure he will be punished.	30	т
	If it was within the inrisdiction of this Court, he asked that a messenger be dispatched with subjectus for such	Mr. Baker-I have at no time charged that any offi- cer connected with this Court is guilty of any such	32	disc
	persons, whom he felt it absolutely necessary to sum- mon for the defense of the accused. The Judge-Advo-	thing. Major Gen. Wallace-We understand you, then, to		the
	cate had shown every disposition to procure the at- tendance of witnesses so far as making out subpenas	retract. Mr. Baker-I retract any inference that the Judge-	36 1 667 36 0 487	mit
	was concerned, and so far as it was within the means	Advocate did any such thing.	38 15 689 38 2 496	Con
	of the defense to give their names, as had been required by the Judge-Advocate. Some 60 or 70 were in New- York. After sifting them they came to the conclusion	Major Gen, Wallace-Or anybody else. Mr. Baker-Why, surely, I cannot take my words	140 3 706/40 71 530	reco
	that only seven or ten of them would be required; and	back. Judge-Advocate-I hope you will sustain them by	(0) (0) 20+ (0) (6	T
	now that the trial was approugning an end, he repeated that the witnesses he had asked for were absolutely ne-	proof. Mr. Baker—I make no charges.	43	
	cessary for the prisoner's defense. They would not put the Government to any unnecessary expense. So far	Judge-Advocate Chipman-Certain Journals adverse to the Government have gathered up just such charges	46 28 774 46 0 574	Dep disc
	as relates to New-York, Richmond and in the neighbor- bood, the witnesses would be sent for at the expense of	against it and the Court. Unless the officers demand some proof of the truth of the charges which have been	47 31 865 47 7 SET 48 102 907 48 11 592	A
	the defense. But further South, there being greater difficulties and increased expenses, it became abso-	made here so flippartly, the Judge-Advecate must rest under the imputation. Unless the counsel should re-	49 2 909 49 10 602 50 918 50 3 605	Was
	lutely necessary that the Government should grant the	tract altogether, the Court should demand the proof.  Mr. Baker—If the gentlemen can find the charge, let	51 0* 918 51 11 (0.6.)	A
	accommodation in the manner requested. He (Mr. Baker) would be ready with the list of witnesses to-	them do so.	53 8 928 53	40.9002
	morrow, in order that the messenger might leave at orce.	ences have been used.	55 0: 931.55 3* 689.1	
	Judge-Advocate Chipman replied that the Court was aware that from time to time he had urged that the rule	Mr. Baker-The reporter has got what I said. It is the language of witnesses.	57 39 971 57 6 910	
	be compiled with, namely, that a list of witnesses be fornished. That had not been fully done; and this	Mr. Baker-How can I know? They take me aside.	50 H 987 50 3 921 1	mad No.
	morning the Court was called upon to meet the request of the coursel, that another special messenger be sent	and tell me there are no charges made. I have denied	60 31, 990 60, 9* 923	122
	South He said four weeks aco that one would be dis-	Major-Gen. Wallace-We are to infer from your re-	62	whi
	patched to secure witnesses, more for the defense than for the prosecution. Those for the latter were mainly here. At the time the balliff went to the Old Capital	must have matured it.	61 10 1 150 65 25 1 1009	Best
	Prison and after the defendant had been furnished	bow careful I was.  Major-Gen. Wallace—You cannot then give us the	66	Eng
	with a copy of the charges and specifications against him, a list of witnesses was made out by the prisoner.	the name of the following and the name	1.00 13 1.0051	hoo-
90.	supervised by Messrs, Hughes, Denver and Peck, at	Mr. Baker-1 know none of my own witnesses, ex-	70. 4 1,247 70 77 1,014	R A
	dersement of Capt. Wirz: "The above-named wit-	Judge-Advocate Chipman-Such remarks did not come from any soldiers who had been at Andersonville.	71	gra; Che
	nesses, excepting four or five, were here; their absence	Mr. Baker repeated, the exceptionable remarks had been made by a couple who caught him by the arm; he	73 291,306173 0*1,091   74 131,319174 701,161	nee
	rope and the others in Texas. He had only to say that, if in the progress of this trial, it was believed by the course!	Heant no disrespect by the repetition, our mercy mea-	I William Control of the Control of	estress
6	For the defence that additional without word Dorous St.	1 Mainte Com tree fv- I here the thirty of the two characters of water	76 1 1355 76 0 1,174 77 15 1,350 77 54 1,256 78 6 1,356 78 2 1,250	42,5
1	it was only fair to the Government that the counsel	Mr. Haker-I don't know; I did not ask whether they	79 551 1,411 79 0* 1,230	C
	could be found, and also what they expect to prove by	were witnesses for us or not	80	the

# Meeting of the Board of Fire Commis-

A resolution was adopted by the Board, that the implements and telegraph apparatus belonging to Hose Company No. 25, be purchased for the sum of \$200.

Mr. Baker—I only asked the Court to send a courier.

The Court—You heard the ruling.

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The Court—You heard the ruling.

Mr. Baker—I only asked the Court to send a courier.

The Court—Very well, the question is settled.

The Seventh contest for the Champion billiard could be done without an adjournment of the Court.

The Court—Very well, the question is settled.

The Seventh contest for the Champions billiard to by the New-York club. We give the score of yesternlay is play:

Score.

NEW-YORK.

The Court very well the ruling.

A Close Malch—Berry Triumphant.

The fielding of the Boston players was bette AMERICAN INSTITUTE FAIR.—The thirty-sixth application, no wesh, no trouble. Manafactory No. 9 Deyst., N. Y.

SCORE.

NEW YORK.

First Innings.
Sharp, b. Hammond.
Hudson, b. O'Brien.
Syngham, b. O'Brien.
Hammond.
Crossley, b. O'Brien.
Singh, nan out.
Singh, nan out.
Tyler, b. Hammond.
Singh, nan out.
Singh, nan out

THE CUSTOM-HOUSE. - Since Collector King's appointment to office, he has received over 500 applications for positions in the Custom-House, principally from returned soldiers, and has filled but two of the places. The total number of applications on file at present is nearly 4,000.

Meeting of the Beard of Fire Commissioners

A stated meeting of the Signature of the Fire Commissioners

A stated meeting of the Signature of the Fire Commissioners

A stated meeting of the Signature of

eed to the Navy-Yard, where they will be inted on exactly alike.

Fifth, At such time as the vessels are ready, they will start from Throng's Neck, around Fisher's Island and back to the starting place, going over the course three times, when, it is presumed, the test of these rival engines will be concluded.

And the state of t

the send a messenger to Georgia, Teams and elsewhere,
Milder replied they had no witnesses beyond NewThe Cort and they were discussed to error the first posterior on the mention of white the processing of the send to be proceeding the processing of the send to be proceeding the processing of the send to be proceeding the send that the processing of the send to be proceeding the send that the processing of the send to be proceeding the send that the processing of the send to be considered would how a present that of the processing of the send to be considered would how a present that of the processing of the send to be considered would how a present that of the processing of the send to be considered would how a present that of the processing of the send to be considered would how a present that of the processing of the send to be considered would how a present that of the processing of the send to be considered would how a present that of the send to be considered would how a present that of the processing of the send to be considered would how a present that of the processing of the send to be considered would how a present that of the send to be considered would how a present that of the send to be considered would how a present that of the send to be considered would how a present that of the send to be considered would how a present that of the send to be considered would how a present that the send to be considered would how a present that of the send to be considered would how a present that the send to be considered would how a present that the send to be considered would have been present that the send to be considered would have been present that the send to be considered would have been present that the send to be considered would have been present that the send to be considered would have been present that the send to be considered would have been present that the send to be considered would have been present that the send to be considered would have been present that the send to be considered woul

BOARD OF ALDERMEN—NO QUORUM.—There was no meeting of the Board yesterday, a quorum nor appearing at roll-call, and the Clerk declared the Board a beautiful assortment of NOVELTIES, to will they respectfully solicit the attention of the grant of the state of the sta

DON'T DVE THE HAIR.-Use BOSWELL &

## LAW INTELLIGENCE

COURT OF SESSIONS-Before Judge Russia

COURT OF SESSIONS—Before Judge Russil.

A CONSIENCE-STRICKEN PERIURER.

A clear case of conscience was brought before the Court to-day and is worthy of record. William Burton, a young man of twenty-nive or six years of age, with an unusually prepossessing and open cast of contenance, was placed at the bar. His head was bowed and he seemed broken down physically and neatably by some secret sorrow. The Assistant District Attorney (Gunning S. Bedford) stated that on Saturday last he came to his office and stated that he had committed a crime, and that he could neither ent nor sleep, and that he wished to make a clean breast of it, and be punished, as he deserved, to see if it would not give him some relief from the intense agony of mind from which be was suffering. Mr. Bedford also stated that he did not like to take action in the matter, and had referred him to his honor.

The young man's story is this: He enlisted at Yonkers in this State, and served in the army until honorably discharged by reason of disability; that afterward tempted by the high bounties, he reballisted at States Island, receiving \$600 hounty.

In this redsilistment he dare not show his old discharged by the high bounties, he reballisted at States Island, receiving \$600 hounty.

In this redsilistment he dare not show his old discharge, and was therefore compelled to swear that he had never served in the United States service. This it was that hung to him like a nightmare, and was slowly but surely fitting him for an insane asylum.

His Honor, after hearing the case, remarked that it was an offense, if perjury, committed against the County of Richmond, and, if fraud, against the United States District Attorney, in company with an officer of the Gourt.

Phillip Elichberry was placed at the bar on a charge of burgiarry in the first degree, being accused of burger planville processing the process of the States District Attorney, in company with an officer of the Gourt.

Mr. Corson testified that he kept a store in the same building as Mr. Chase; t

SUPREME COURT—CHAMBERS—SEPT. 11.—Before Justice Barnard.

DANGERS OF A RETURNED CALIFORNIAN.
Edward Cunnar agt. Peter Perazzo.—F.aintif, who is a returned Californian, claims to have breight home a large amount of gold dust and \$20 gold pieces, w. at to be bearding home of the defendant, his countryman, and there eccording to his own account, was persuaded by Mr. Peraguthat it was unsafe to take his money to the Five Points, when he was shout to go, and to leave it in his charge, shortly after doing this, the defendant having gone oot, his wife raised the cry of "theves," and on entering his room the box in which the money was placed was found broken open and all the value before the was found broken open and all the value before the way from the box in which the money was been considered to be the plaintiff has settled the defendant and procured his arrest for the translutent conversion of his gold. The defendant now moves to vacate the order of arrest, on a fidavits showing his own absence at the time of the robberg, and his long residence and good character in this city.

The Judge took the papers and reserved his decision.

UNITED STATES COMMISSIONER'S OFFICE-SEPT. II

TE" Nine policy holders during the past year, by the par-

ment of \$177 in premiums, have realized to their families the NO MEDICAL EXAMINATION REQUIRED.

# NEW-YORK BRANCH OFFICE, No. 160 Fultan-st., corner of Broadway. EDGAR FORMAN, April. CANCER.

Consult Dr. J. C. DIXON, No. 736 Broadway New York Carners removed without puls, use of Rolle, less of blood caustic or zinc by ruing, and without injuring the count parts

DEMOREST'S MONTHLY MAGAZINE. -Do not all to see the Brilliant and Spicy September No.

FRESH GRAINS, 6 CENTS Per BUSHEL, for SALE in any quantity, at MACFHERSON & BOX-